

ID. date	Date of interview 12/02/20
ID. start	Time interview started 11:10:06
ID.end Date	Completion date of interview 12/02/20
ID.end	Time interview ended 12:58:20
ID. time	Duration of interview 108.23

new case

## ICO consultation on the draft right of access guidance

Q1 Does the draft guidance cover the relevant issues about the right of access?

☒ Yes

☐ No

☐ Unsure / don't know

If no or unsure/don't know, what other issues would you like to be covered in it?

Q2 Does the draft guidance contain the right level of detail?

☒ Yes

☐ No

☐ Unsure / don't know

If no or unsure/don't know, in what areas should there be more detail within the draft guidance?

Q3 Does the draft guidance contain enough examples?

☒ Yes

☐ No

☐ Unsure / don't know

If no or unsure/don't know, please provide any examples that think should be included in the draft guidance.

Q4 We have found that data protection professionals often struggle with applying and defining 'manifestly unfounded or excessive' subject access requests. We would like to include a wide range of examples from a variety of sectors to help you. Please provide some examples of manifestly unfounded and excessive requests below (if applicable).

Q5 On a scale of 1-5 how useful is the draft guidance?

1 - Not at all useful	2 – Slightly useful	3 – Moderately useful	4 – Very useful	5 – Extremely useful
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Q6 Why have you given this score?

Clearly laid out, hyperlinks useful, refers to legislation on each point and gives real-life examples.

Q7 To what extent do you agree that the draft guidance is clear and easy to understand?

Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Q8 Please provide any further comments or suggestions you may have about the draft guidance.

Our organisation has concerns about the practical implications of the new draft advice, particularly in regard to the section 'Can we clarify a request?' (page 23) • The legislative changes reducing the timescale from 40 working days to one calendar month has already had an impact on resources and further restrictions are a serious concern for the council's compliance rate. • Starting a search without clarifications (as suggested in the guidance) is a poor/inefficient use of our resources. We have no more resources available to account for this additional pressure on the timeframe. • The council have a very low complaint rate for SARs and this may increase with the removal of pausing for clarifications, ultimately leading to more work for the ICO in handling these complaints. • It will be difficult to correctly apply when to stop/not stop the clock, as separating out the tasks of requesting both ID and clarifications from a data subject can be hard, as the information often arrives in dribs and drabs. • It is expected that extensions will be used more widely, as the impact of not pausing for clarifications will mean that the clock is ticking whilst active searching is not possible. This will lead to less cases being dealt with in one calendar month. • Where information is requested for an urgent court hearing, we prioritise these to assist the requestor but would have to reconsider this approach. If no open cases were 'allowed' to be on pause, then we may find ourselves in a situation where the pressure of the one calendar month deadline would take precedence over the court requests. These cases may have to 'wait their turn' so although we may fulfil them within one calendar month, it may not be in time for the hearing. Court case requests are often received with little lead time so time extensions are often not a useful provision in these cases. • This new draft advice particularly affects the

Q9 Are you answering as:

- ☐ An individual acting in a private capacity (eg someone providing their views as a member of the public)
- ☐ An individual acting in a professional capacity
- ☒ On behalf of an organisation
- ☐ Other

Please specify the name of your organisation:

Southwark Council

What sector are you from:

Local government

Q10 How did you find out about this survey?

- ☐ ICO Twitter account
- ☐ ICO Facebook account
- ☐ ICO LinkedIn account
- ☐ ICO website
- ☐ ICO newsletter
- ☐ ICO staff member
- ☒ Colleague
- ☐ Personal/work Twitter account
- ☐ Personal/work Facebook account
- ☐ Personal/work LinkedIn account
- ☐ Other

If other please specify: